

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Allegation of Corruption against Sri K.C.Narayana, Executive Engineer, Minor Irrigation (Works) Division, Kurnool District – Trapped by Anti Corruption Bureau authorities on 29-01-2009 – Sanction for Prosecution - Orders – Issued.

IRRIGATION & C.A.D. (IW:SERVICES-VI(1) DEPARTMENT

G.O.Ms.No. 257.

Dated 19-09-2009.

O R D E R:

Whereas, Sri Kesanapalli Chinna Narayana, S/o.K.Pullanna, resident of Nandipadu Village, Koilakuntla Mandal, Kurnool District, aged 53 years, worked as Executive Engineer, Minor Irrigation (Works) Division, Kurnool, Kurnool District during the period from 03-11-2006 to 29-01-2009 and as such by virtue of the post held by him, he falls under category of public servant within the meaning of clause (c) of section 2 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988);

2. And whereas, it is alleged that on 28-01-2009 at 13.00 hours, Sri B.Laxmikantha Reddy, S/o.B.Mysoora Reddy, resident of Chakralla Village, Pattikonda Mandal, Kurnool District, came to Deputy Superintendent of Police, Anti Corruption Bureau, Kurnool and lodged a complaint against Sri K.C.Narayana, Executive Engineer, Minor Irrigation (Works) Division, Kurnool, Kurnool District. The contents of the complaint are that he is a native of Chakralla Village, Pattikonda Mandal, Kurnool District and he is doing small contracts. In the year 2007, due to heavy rains the tank of Chakralla Village has broken and caused loss. The said Tank is under control of Minor Irrigation Department. Sri B.Laxmikantha Reddy applied for allotment of works like revetment to the said Tank and repairs to channels on contract basis. So, he got the estimates prepared by the Assistant Engineer and Deputy Executive Engineer, Minor Irrigation of Pattikonda and submitted to Sri K.C.Narayana, Executive Engineer, Minor Irrigation, Kurnool, 3 weeks prior to the trap. He requested Sri K.C.Narayana to issue allotment of contract of above work in his name on the nomination basis. Sri K.C.Narayana kept the file on his table stating that the work would be done later. He met Sri K.C.Narayana three or four times in his Office, at Kurnool. But he did not respond properly. On 28-01-2009 at about 11.00 A.M., he met Sri K.C.Narayana, at his Office, Kurnool and enquired about agreement and when the work would be done. On that Sri K.C.Narayana demanded him to pay 2% i.e., Rs.10,000/- as bribe on the estimated work worth of Rs.5.00 lakhs. When he pleaded that he is poor and unable to pay such huge amount, the Executive Engineer, reduced the bribe amount to Rs.5,000/- and insisted that unless bribe is paid to him, he would not do the work. Under unavoidable circumstances, Sri B.Laxmikantha Reddy agreed to pay the demanded bribe amount. Then Sri K.C.Narayana, Executive Engineer signed on the file of Sri B.Laxmikantha Reddy and sent the file to the Draughtsman for verification. Also instructed Sri B.Laxmikantha Reddy to pay the bribe on 29-01-2009 and he would sign on the Agreement. Reluctant to pay bribe amount to Sri K.C.Narayana, Sri B.Laxmikantha Reddy came to the office of Deputy Superintendent of Police, Anti-Corruption Bureau, Kurnool, on 28-01-2009 at 13.00 hours and gave a written complaint to the Deputy Superintendent of Police, Anti-Corruption Bureau, Kurnool, against Sri K.C.Narayana, Executive Engineer, Minor Irrigation (Works) Division, Kurnool, Kurnool District;

(P.T.O.)

3. And whereas, it is alleged that Sri B.Laxmikantha Reddy who was unwilling to pay the bribe amount to Sri K.C.Narayana, Executive Engineer, Minor Irrigation (Works) Division, Kurnool, lodged a written complaint with Deputy Superintendent of Police, Anti-Corruption Bureau, Kurnool on 28-01-2009 at 13.00 hours, who, after due verification and after completing all legal formalities, registered a case in Cr.No.2/RCT-KUR/2009, under section 7 of the Prevention of Corruption Act, 1988 at 08.00 A.M., on 29-01-2009 and took up investigation;

4. And whereas, it is further alleged that during the course of trap on 29-01-2009 in the afternoon, when Sri B.Laxmikantha Reddy approached Sri K.C.Narayana, Executive Engineer, Minor Irrigation (Works) Division, Kurnool, Sri K.C.Narayana, Executive Engineer, Minor Irrigation (Works) Division, Kurnool, renewed his earlier demand and asked him to pay the bribe amount of Rs.5,000/-. Accordingly Sri B.Laxmikantha Reddy paid the tainted amount to Sri K.C.Narayana, and Sri K.C.Narayana received the amount with right hand, counted with both hands and kept in the left side chest pocket of his shirt. After that, Sri K.C.Narayana signed on the agreement and other relevant letters and sent the file to the Case Worker for dispatch. When both the hand fingers of Sri K.C.Narayana were subjected to phenolphthalein test, it yielded positive results. Sri K.C.Narayana voluntarily produced a wad of currency notes of Rs.5,000/- from his left side chest pocket of the shirt. The inner lining of the left side chest pocket of Sri K.C.Narayana also answered positive when subjected to test. The currency note numbers and denominations mentioned in the pre trap proceedings tallied. All the relevant material objects were seized under cover of Post Trap proceedings along with tainted currency notes of Rs.5,000/-;

5. And whereas, the aforesaid acts of Sri K.C.Narayana, Executive Engineer, Minor Irrigation (Works) Division, Kurnool, constitute the offences punishable under section 7 and sub-section (2) of section 13 read with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988);

6. And whereas, the Government of Andhra Pradesh, being the competent authority to remove Sri K.C.Narayana, Executive Engineer, Minor Irrigation (Works) Division, Kurnool, Kurnool District from service, after fully and carefully examining the material placed before him in respect of the aforesaid allegations against Sri K.C.Narayana, Executive Engineer, Minor Irrigation (Works) Division, Kurnool, and having regard to the circumstances of the case, considered that the said Sri K.C.Narayana, Executive Engineer, Minor Irrigation (Works) Division, Kurnool, Kurnool District should be prosecuted in a Court of Law for the aforesaid offences.

7. Now, therefore, in exercise of the powers conferred under clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for the prosecution of the said Sri K.C.Narayana, Executive Engineer, Minor Irrigation (Works) Division, Kurnool, Kurnool District for the above said offence punishable under sections 7 and sub-section (2) of section 13 read with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988) and for any other

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cognate offence under any other provisions of law for the time being in force in respect of the aforesaid acts for taking cognizance of the offence by a Court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(S.P.TUCKER)
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General,
Anti Corruption Bureau,
Hyderabad.
Copy to:
The Law (B) Department.

//FORWARDED BY ORDER//

SECTION OFFICER